

REMARKS

The application is believed to be in condition for allowance.

There are no formal matters outstanding.

Claims 1-10 send rejected as obvious over REBER et al. 5,969,606 ("REBER").

The central question here appears to be whether REBER discloses the recitations of claim 1 concerning "a first communication device outside said work space, a radio frequency antenna connected to said first communication device" taking into account the further recitation of "wherein ..., said antenna being separated from said work space by said at least a part of one of said walls."

There is no disagreement that the claim requires the antenna be outside the work space. The disagreement seems to be whether REBER discloses the antenna being outside the work space. Applicants believe that there is no disclosure of the antenna being outside the work space and no reason that the antenna would be located outside the work space.

In the previous response, applicants argued that there was no reason to have the recited structure of claim 1 (i.e., to have the antenna be outside the work space), as REBER positions the communication portions of the tag device 32 (including the antenna) within the work cabinet 24 and communicates to an indicator 40 via a wire (per Figures 1 and 6).

The Examiner appears to believe that the antenna of REBER **is** outside the work cabinet 24.

By way of review, claim 1 recites a work cabinet having walls whose inside surfaces delimit a work space ... which the Official Action reads onto work cabinet 24, Figure 1. See page 3 of the Official Action.

Claim 1 also recites i) a first communication device outside the work space and with an antenna, and ii) a second communication device to be associated with an object in the work space.

For the recited object and the recited second communication device, the Official Action offers food item 20 and attached electronic tag 30. See Figure 1.

For the recited first communication system, a first communication device 40 outside the work space (Figures 1, 6) is identified by the Official Action. But this is only an indicator as disclosed clearly by Figures 1 and 6. The indicator 40 is connected to the tag device 32 via an illustrated wire.

See that Figure 6 shows that block 40 is only an indicator and that block 32 is the tag communication device itself. Although not numbered in Figure 1, tag device 32 is clearly shown to be within work cabinet 24. More specifically, tag device 32 is shown mounted in the upper right corner of the work cabinet 24.

The Official Action states that tag 30 and tag device 32 communicate with each other. This is correct. Note that both are interior to the work cabinet 24. Also note that the antenna of tag device 32 (being read as recited first communication device) is inside the work cabinet 24 and not outside as recited by claim 1.

At column 4, lines 13-21, there is a discussion that the tap device 32 may optionally communicate with an indicator 40 (either an audible or visual indicator). This disclosure only means that the indicator 40 is not required. There is no teaching here of where the antenna is placed.

Reference is made to column 6, beginning with line 30. Line 49 discusses a receiver 88 receiving information from tag 30. The receiver 88 is shown (Figure 6) as being inside the work cabinet 24.

Thus, the recitation of an antenna of a first communication device being outside the work space is not taught or suggested. Clearly, the teaching is to place the tag device 32, including the antenna, within the work space and to connect an exterior indicator (e.g., indicator 40) exterior to the work space, the connection being by a wire. Thus, the reference fails to disclose that recited and in fact teaches away from the claim.

Claim 1 also recites "wherein at least a part of one of said walls of said work cabinet is transparent to a radio

frequency used by said antenna, said antenna being separated from said work space by said at least a part of one of said walls."

The Official Action (page 3) acknowledges that REBER does not make this disclosure. The Official Action indicates that the antenna "being mounted between the walls has no different if the antenna being placed anywhere inside the storage [place 24]."

Applicants respectfully disagree.

If the storage place (24) walls are not transparent to a radio frequency used by the antenna, placing the antenna within the wall renders the antenna ineffective.

Thus, this last recitation concerning the wall being transparent to a radio frequency is a structural recitation that must be given consideration.

In view of these shortcomings of REBER, reconsideration and allowance of claim 1 and its dependent claims are respectfully requested.

Claims 2-5 also recite structural features which the Official Action has acknowledged that REBER does not teach. Accordingly, these claims should be allowed in their own right.

Reconsideration and allowance of claims 1-8 are therefore solicited.

As to claims 9 and 10, REBER does not teach the recited RF transparent wall part and an antenna outside the work space and separated from the work space by the RF transparent wall

part. Indeed, as discussed above, REBER teaches away from this structure.

Accordingly, withdrawal of the rejection and allowance of claims 9-10 are respectfully requested.

In view of the above, applicants believe that the present application is in condition for allowance and an early indication of the same is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17.

Respectfully submitted,

YOUNG & THOMPSON



Roland E. Long, Jr., Reg. No. 41,949
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

REL/lrs